

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOEL GOLDMAN,)
Plaintiff,)
v.) Case No. 1:05 CV 0035
HEALTHCARE MANAGEMENT)
SYSTEMS, INC. and THOMAS)
E. GIVENS,)
Defendants.)

DEFENDANTS' SECOND SUPPLEMENTAL RULE 26(A)(1) DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendants Healthcare Management Systems, Inc. (“HMS”) and Thomas E. Givens (“Givens”) (collectively, “Defendants”), by and through counsel, hereby provides the following supplemental disclosures:

A. Individuals:

1. Thomas Givens
Healthcare Management Systems, Inc.
3102 West End Avenue
Suite 403
Nashville, TN 37203
(615) 383-7300
2. John Doss
Healthcare Management Systems, Inc.
3102 West End Avenue
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3. Paul Agee
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4. Tom Stephenson
Healthcare Management Systems, Inc.
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5. Michael Freeman
Healthcare Management Systems, Inc.
3102 West End Avenue
Suite 403
Nashville, TN 37203
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6. Thomas Kasinec
(Current address and phone number unknown)
7. Thomas McDougald
(Current address and phone number unknown)

B. Documents:

1. Source code completed and distributed by HMS in September 2007. These documents are in the possession of Plaintiff.
2. Schedule of costs for rewritten source code. This document is in the possession of Plaintiff.
3. **Materials regarding advertising and marketing by HMS. These documents are in the possession of Plaintiff.**
4. Systems Associates, Inc. medical records documentation. This document is in the possession of Plaintiff.
5. Documentation relating to history of diagnosis related groups. This document is in the possession of Plaintiff.
6. Any and all exhibits offered at any deposition. These documents are in the possession of Plaintiff.
7. Any and all Joel Goldman computer source code and printouts. These documents are in the possession of Plaintiff.

8. Any and all Goldman & Goldman computer source code and printouts.

These documents are in the possession of Plaintiff.

9. Any and all Goldman & Goldman documents. These documents are in the possession of Plaintiff.

10. Any and all affidavits or declarations offered by any party. These documents are in the possession of Plaintiff.

11. Expert reports offered by all parties. These documents are in the possession of Plaintiff.

12. Financial statements and reports produced by all parties. These documents are in the possession of Plaintiff.

13. Any and all corporate registrations, U.S. Copyright registrations or similar documents by or on behalf of Goldman & Goldman and/or Joel Goldman. These documents are in the possession of Plaintiff.

14. Any and all applicable state and federal reporting forms. These documents are in the possession of Plaintiff.

15. Any and all HMS computer source code and printouts. These documents are in the possession of Plaintiff.

16. Contracts between Goldman & Goldman and/or Joel Goldman and any entity. These documents are in the possession of Plaintiff.

17. Exhibits offered for impeachment or rebuttal.

18. Any and all documents produced by any party during discovery.

19. Any exhibit listed by the plaintiff.

Respectfully submitted,

**VARNUM, RIDDERING, SCHMIDT and
HOWLETT, LLP**

DATED: January 11, 2008

By: /s/ Richard A. Kay
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- and -

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2008, I electronically filed the foregoing, DEFENDANTS' SECOND SUPPLEMENTAL RULE 26(A)(1) DISCLOSURES, with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

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